

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE SUBJECT REPORTING OF OFFENDER ASSETS	EFFECTIVE DATE 01/13/1997	NUMBER 04.02.140
	SUPERSEDES 04.02.140 (01/01/87)	
	AUTHORITY MCL 791.235; 800.401 et seq.	
	ACA STANDARDS NONE	
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POLICY STATEMENT:

The Department shall obtain information from all prisoners and parolees regarding their assets and provide it to the Attorney General to assist in obtaining reimbursement for expenses incurred or to be incurred by the State for the costs of incarceration in a state correctional facility.

RELATED POLICY:

06.02.105 - Community Residential Programs: Financial Policy

POLICY:

DEFINITIONS

- A. Assets - Property, tangible or intangible, real or personal, belonging to or due a prisoner or parolee including income or payments from social security, worker's compensation, veteran's compensation, pension benefits, previously earned salary or wages, bonuses, annuities, retirement benefits, any lawsuit including a lawsuit against the Department or the State, or from any other source EXCEPT the following:
 - 1. His or her homestead up to \$50,000.00 in value.
 - 2. Money saved from wages and bonuses earned while confined to a state correctional facility.
- B. Cost of Care - Cost to the Department for providing the following to a prisoner while incarcerated in a state correctional facility:
 - 1. Transportation;
 - 2. Room and board;
 - 3. Clothing;
 - 4. Security;
 - 5. Medical treatment;
 - 6. Normal living expenses; and
 - 7. College-level classes or programs.
- C. State Correctional Facility - Any Department facility in which a prisoner is housed, including camps, corrections centers, and the Special Alternative Incarceration Program (SAI).

OFFENDER FINANCIAL STATUS REPORT

- D. Each newly committed prisoner shall complete an Offender Financial Status Report form (CAJ-140) as

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part of the reception center intake process set forth in PD 04.01.105 "Reception Center Services". Any known or suspected discrepancies from what the prisoner has reported as assets shall be reported by reception center staff on the CAJ-140.

- E. Subject to Paragraph H, a prisoner or parolee may be required to complete an updated CAJ-140 if it becomes known or is reasonably believed that the prisoner or parolee has assets which were not previously reported on a CAJ-140.
- F. Prisoners and parolees are required to fully cooperate by providing complete and accurate financial information as requested. Failure to do so shall be noted on the CAJ-140. In addition, a prisoner's failure to fully cooperate shall be included in the prisoner's parole eligibility report and may be considered by the Parole Board when making a parole determination.

REPORTING ASSETS TO DEPARTMENT OF ATTORNEY GENERAL

- G. All completed CAJ-140 forms shall be sent to the Department of the Attorney General - Collections Division from the facility or field office at which the form was completed.
- H. Staff designated by the warden, Field Operations Administration (FOA) Regional Administrator or SAI Administrator shall contact the Attorney General - Collections Division for direction on how to proceed whenever it is known or reasonably believed that a prisoner or parolee has assets with an estimated value of \$1500 or more or is receiving assets on a recurring basis, which were not previously reported on a CAJ-140.
- I. Information on prisoner or parolee assets may be received through verbal statements or written documentation. Examples of documents commonly containing such information are checks or money orders received by the facility for a prisoner, deeds, estate settlements, payroll statements, and bank statements.
- J. Upon request, the Deputy Director, Administration and Programs (A & P), or designee shall provide the Department of Attorney General with an estimate of the total cost of care of a prisoner.
- K. The Department shall comply with all court orders issued to restrict a prisoner's use of funds in his/her prison account or issued to obtain reimbursement for the prisoner's or parolee's cost of care while incarcerated in a state correctional facility.

OPERATING PROCEDURES

- L. The Deputy Director, FOA, wardens, and the SAI Administrator shall ensure that within 60 days of its effective date procedures implementing this policy directive are developed. Wardens shall forward procedures to the appropriate Regional Prison Administrator, Correctional Facilities Administration (CFA), for approval. The SAI Administrator shall forward procedures to the Deputy Director, FOA, for approval.

AUDIT ELEMENTS

- M. A primary audit elements list has been developed and will be provided to wardens and FOA administrators to assist with self-audit of this policy, pursuant to PD 01.05.100, "Self Audit of Policies and Procedures".

KLM:OPH:12/18/96